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9	BOARD OF REGISTERED NURSING	
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12	In the Matter of the Accusation Against:	Case No. 2008 - 280
13	PAMELA JEAN KEACHIE P.O. Box 1177	ACCUSATION
14	Woodland, CA 95776	ACCUBATION
15	Registered Nurse License No. 405136	
16	Respondent.	
17		•
18	Complainant alleges:	
19	<u>PARTIES</u>	
20	1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation	
21	solely in her official capacity as the Executive Officer of the Board of Registered Nursing	
22	("Board"), Department of Consumer Affairs.	
23	2. On or about January 31, 1986, the Board issued Registered Nurse License	
24	Number 405136 to Pamela Jean Keachie ("Respondent"). Respondent's registered nurse license	
25	was in full force and effect at all times relevant to the charges brought herein and will expire on	
26	January 31, 2010, unless renewed.	
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states:

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3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

4. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- (a) Unprofessional conduct, which includes, but is not limited to, the following:
- (1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions . . .
 - 5. California Code of Regulations, title 16, section ("Regulation") 1442

As used in Section 2761 of the code, 'gross negligence' includes an extreme departure from the standard of care which, under similar circumstances, would have ordinarily been exercised by a competent registered nurse. Such an extreme departure means the repeated failure to provide nursing care as required or failure to provide care or to exercise ordinary precaution in a single situation which the nurse knew, or should have known, could have jeopardized the client's health or life.

COST RECOVERY

6. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

- 7. Respondent is subject to disciplinary action pursuant to Code section 2761, subdivision (a)(1), on the grounds of unprofessional conduct. On or about September 28, 2005, while employed as an operating room/circulating nurse for cataract surgeries at Woodland Healthcare (Catholic Healthcare West), located in Woodland, California, Respondent was guilty of gross negligence within the meaning of Regulation 1442, as follows:
- a. Respondent gave an incorrect lens (implant) to the surgeon during a patient's (hereinafter "subject patient") cataract surgery.
- b. Respondent failed to follow proper protocol for checking in the subject patient in that she failed to examine the patient's chart pre-operatively, including the consent, history, and physical, and ensure that the correct implant was selected (Respondent performed her pre-operative examination without the patient's chart in hand).
 - c. Respondent failed to check the subject patient's armband with the chart.
- d. Respondent failed to initiate and perform the surgical "time out" and failed to have the surgeon examine the implant before opening it onto the sterile field.
- Respondent failed to document her error, i.e., the administering of the e. incorrect lens/implant to the surgeon, on the subject patient's medical record. Further, Respondent incorrectly documented on the medical record that the surgical procedure was completed without incident or complications, that all precautions were taken, and that the surgical "time out" was performed.

^{1.} A surgical "time out" is a debriefing before surgery is started and must include patient identification, procedure, site/side identification, position, and equipment/implants. This "time out" can be initiated by any-of the surgical team members, yet is typically initiated by the circulating nurse.

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

8. Respondent is subject to disciplinary action pursuant to Code section 2761, subdivision (a), in that on or about September 28, 2005, while employed as an operating room/circulating nurse for cataract surgeries at Woodland Healthcare (Catholic Healthcare West), located in Woodland, California, Respondent committed acts constituting unprofessional conduct, as set forth in paragraph 7 above.

MATTERS IN AGGRAVATION

- 9. On August 31, 2005, Respondent gave the incorrect lens/implant to the surgeon during a different patient's cataract surgery. Upon implanting the incorrect lens, the surgeon caught the error and removed the lens and re-inserted the correct model lens. The patient did not suffer any ill effects from the error. Respondent reported the incident to her charge nurse and manager and was counseled on the policies and procedures of administering an implant to the sterile table.
- 10. Following the incident of September 28, 2005, the subject patient had to endure an extended surgery as the incorrect lens had to be exchanged for the correct lens.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 1. Revoking or suspending Registered Nurse License Number 405136, issued to Pamela Jean Keachie;
- 2. Ordering Pamela Jean Keachie to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;



1	3. Taking such other and further action as deemed necessary and proper.
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. 3	DATED: 4 9 08
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6	RUTH ANN TERRY, M.P.H., R.N. Executive Officer
7	Board of Registered Nursing Department of Consumer Affairs State of California
8	State of California
9	Complainant
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